

IN THE CIRCUIT COURT OF \_\_\_\_\_ COUNTY, WEST VIRGINIA  
STATE OF WEST VIRGINIA,

\_\_\_\_\_, Plaintiff

v.

Case No.: \_\_\_\_\_

\_\_\_\_\_, Defendant

**ORDER FOR MENTAL EVALUATION  
EXAMINATION – SEX OFFENDER**

Now comes the Defendant, \_\_\_\_\_, by and through counsel,  
\_\_\_\_\_, submitting to the court that it is appropriate the defendant undergo a  
sexual offender/mental evaluation pursuant to W.Va. Code § 62-12-2(e), to determine his/her  
appropriateness for community placement as a possible alternative sentence in regard to the above matter  
and has secured a Qualified Forensic Evaluator at Mountaineer Psychological Services to conduct said  
evaluation. The Court does here ORDER that such examination shall be conducted by Dr. Jennifer Myers, a  
licensed psychological practicing in Morgantown, West Virginia.

This Court further ORDERS the defendant to appear at Mountaineer Psychological Services for the  
examination.

This Court further ORDERS as follows:

- (1) That the Evaluator shall provide a report of the examination and her findings to be filed in triplicate with the Clerk of the Circuit Court for distribution to the Court and the attorneys of record.
- (2) That the State and Defendant shall furnish the Evaluator with all relevant information and materials regarding the above matter.
- (3) That the evaluator may release this Order to other mental health facilities and/or professionals for the purpose of obtaining the Defendant's mental health records.
- (4) That any such mental health records requested by Dr. Myers are sufficiently relevant to the proceedings before the court to outweigh the importance of maintaining confidentiality established by W. Va. Code § 27-3-1.
- (5) That good cause exists such that the public interest and the need for disclosure outweighs the injury to the patient, to the patient-physician relationship and to the treatment services pursuant to 42 U.S.C.A. § 290dd-2 and 42 C.F.R. Part 2.

- (6) That all facilities presented with this Order shall release the Defendant's mental health records to Dr. Jennifer Myers, who shall use them specifically for completing the examination herein ordered.
- (7) That upon receipt of an original invoice and a court order with a raised seal of the Clerk of this Court, the West Virginia Department of Health and Human Resources' Bureau for Behavioral Health and Health Facilities shall pay for the initial examination pursuant to W. Va. Trial Court Rules, Rule 35.05. The original invoice, a copy of the evaluation, and the court order shall be forwarded to William R. Sharpe, Jr. Hospital, Attn: Business Office, 936 Sharpe Hospital Road, Weston, WV 26452.

The Court ORDERS the Clerk of the Court to forward certified copies of this Order to the counsel of record and to Dr. Jennifer Myers, Mountaineer Psychological Services, 4000 Coombs Farm Drive, Morgantown, WV 26508.

Entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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Judge

(SEAL)